

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RUFUS LIVELY, JR.,

Plaintiff,

v.

NURSE AVA, et al.,

Defendants.

ORDER

Case No. 23-cv-454-jdp

Plaintiff Rufus Lively, Jr. has filed a proposed civil complaint and requested leave to proceed without prepaying the filing fee. To evaluate plaintiff's request to proceed without prepayment of the filing fee, I must review a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint. 28 U.S.C. § 1915(a)(2).

For this case to proceed, plaintiff must submit the certified trust fund account statement no later than July 31, 2023. If I find that plaintiff is indigent, I will calculate an initial partial payment amount that must be paid before the court can screen the merits of the complaint under 28 U.S.C. § 1915(e)(2). Thereafter, plaintiff will be required to pay the balance of the filing fee in installments.

ORDER

IT IS ORDERED that plaintiff Rufus Lively, Jr. may have until July 31, 2023 to submit a trust fund account statement for the period beginning approximately January 10, 2023 and ending approximately July 10, 2023. If, by July 31, 2023, plaintiff fails to respond

to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 10th day of July, 2023.

BY THE COURT:

/s/

ANDREW R. WISEMAN
United States Magistrate Judge